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Docket No. 708-4057

Express Mail No. EL 853 256 319 US



27123
PATENT TRADEMARK OFFICE

A
J1017 U.S. PTO
09/865759
05/25/01

↑AFFIX CUSTOMER NO. LABEL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL

37 C.F.R. §(1.53(b))

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Phyllis SHAPIRO
51 Fieldstone Road
Stamford, Connecticut 06902 USA

☐ Additional inventors are listed on a separate sheet

For: AUTOMATED METHOD FOR CORRECTING BLOOD ANALYSIS
PARAMETER RESULTS AFFECTED BY INTERFERENCE FROM
EXOGENOUS BLOOD SUBSTITUTES WHOLE BLOOD, PLASMA AND
SERUM

Enclosed Are:

34 total pages of Application, including:

28 page(s) of Specification

5 page(s) of Claims

1 page(s) of Abstract

 sheets of ☐ Formal ☐ Informal Drawings

3 page(s) of Declaration and Power of Attorney

☐ Unsigned

☒ Newly Executed

☐ Copy from prior application

☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☒ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference:

☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

☐ Microfiche Computer Program (Appendix)

- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ Assignment Papers (assignment recordation cover sheet and assignment document; 4 total pages)

- ☒ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.
- ☐ Assignment Papers filed in the parent application Serial No. _____.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____, filed _____, in _____ (country).

☐ Certified Copy of Priority Document(s) [_____]

- ☐ filed herewith
- ☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) [_____]

- ☐ filed herewith
- ☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

- ☐ Information Disclosure Statement
- ☐ Copy of [_____] cited references
- ☐ PTO Form-1449
- ☐ References cited in parent application Serial No. _____, filed _____.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☐ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. _____, filed _____.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$710.00/355.00
Total Claims	29- 20 =	9x	\$18.00/ \$9.00	\$ 162.00
Independent Claims	4- 3 =	1x	\$80.00/ \$40.00	\$ 80.00
<input checked="" type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$270.00 (\$135.00)		\$ 270.00
TOTAL:				\$ 1222.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ ____.
- ☒ A check in the amount of \$1222.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 708-4057. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 25, 2001

By: Leslie A. Serunian
Leslie A. Serunian
Registration No. 35,353

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27123

PATENT TRADEMARK OFFICE

Docket No. 708-4057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Phyllis SHAPIRO

Group Art Unit: To Be Assigned

Serial No.: To Be Assigned

Examiner: To Be Assigned

Filed: Herewith (May 25, 2001)

For: AUTOMATED METHOD FOR CORRECTING BLOOD ANALYSIS PARAMETER
RESULTS AFFECTED BY INTERFERENCE FROM EXOGENOUS BLOOD
SUBSTITUTES WHOLE BLOOD, PLASMA AND SERUM

EXPRESS MAIL CERTIFICATEExpress Mail Label No.: **EL 853 256 319 US**Date of Deposit: **May 25, 2001**

I hereby certify that the following attached paper(s) and/or fee(s)

1. Utility Application Transmittal (37 CFR 1.53(b)) (4 pages);
2. Utility Patent Application having **34** total pages, including **28** pages of Specification; **5** pages of Claims and **1** page of Abstract;
3. Filing fee (Check for \$1,222.00);
4. Executed Declaration (3 pages);
5. Executed Assignment (3 pages);
6. Recordation Form Cover Sheet (1 page);
7. Recordation Fee (Check for \$40.00);
8. Statement under 35 U.S.C. §122(b)(2)(B)(i) (1 page);
9. Return Postcard

is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to **BOX: PATENT APPLICATION**, Commissioner Of Patents, Washington, D.C. 20231.

F.J. Garcia

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

Application No.	To Be Assigned
Filing Date	May 25, 2001
First Named Inventor	Phyllis SHAPIRO
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Atty Docket No.	0708-4057

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

This request is signed in compliance with 37 C.F.R. §1.33(b) and is being submitted with the application **at the time of filing**.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Leslie Serunian</i>	Date	May 25, 2001
Name (Print/Type)	Leslie Serunian	Reg. No. (Atty/Agent)	35,353

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. §122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. §122(b)(2)(B)(iii)).**

